

FILED NOV 13 14 54 USDC-ORP

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNDER SEAL

PORTLAND DIVISION

UNITED STATES OF AMERICA

3:13-CR- 00524-BR

v.

**ALFREDO PENA-LOPEZ aka GERIONDA;
JOSE ANTONIO VILLALBA,**

**INDICTMENT
[21 U.S.C. §§ 841(a)(1),
841(b)(1)(A),
846, 853]**

Defendant.

THE GRAND JURY CHARGES:

COUNT 1

**(Conspiracy to Distribute or Possess with Intent
to Distribute Heroin)**

Beginning at a time unknown and continuing up to and including June 15, 2013, in the District of Oregon, and elsewhere, **ALFREDO PENA-LOPEZ aka GERIONDA and JOSE ANTONIO VILLALBA**, defendants herein, did knowingly and willfully combine, conspire, confederate and agree together, with each other, and with diverse other persons whose names are to the grand jury known and unknown, to possess with intent to distribute, and to distribute, one kilogram or more of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A).

It was part of this conspiracy for certain of the defendants and others to store, transport, and conceal controlled substances.

It was part of this conspiracy for certain of the defendants and others to utilize telephones and cellular telephones to further the possession and distribution of controlled substances.

It was part of this conspiracy for certain of the defendants and others to process, store, weigh, and package controlled substances for distribution.

It was part of this conspiracy for certain of the defendants and others to maintain premises for the purposes of storing, packaging, possessing, and distributing controlled substances.

It was part of this conspiracy to use and maintain motor vehicles to transport controlled substances, money, co-conspirators, to facilitate drug transactions, and employ counter-surveillance methods while driving or during the conduct of transactions, in the course of possessing with intent to distribute and distributing controlled substances.

It was part of this conspiracy to use public transportation to transport controlled substances and facilitate drug transactions.

In furtherance of this conspiracy, and to effect and accomplish its objectives, the defendants and other co-conspirators committed one or more of the following overt acts:

OVERT ACTS

1. As listed in Counts 2, below.

All in violation of Title 21, United States Code, Section 846

COUNT 2

(Possession with Intent to Distribute Heroin)

On or between June 1 and June 15, 2013, in the District of Oregon, and elsewhere,
ALFREDO PENA-LOPEZ aka GERIONDA and JOSE ANTONIO VILLALBA,
defendants herein, did knowingly and intentionally possess with intent to distribute one kilogram

or more of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(A), and Title 18, United States Code, Section 2.

CRIMINAL FORFEITURE ALLEGATION

Upon conviction of the controlled substance offenses alleged in Counts 1 and 2 of this Indictment, **ALFREDO PENA-LOPEZ aka GERIONDA and JOSE ANTONIO VILLALBA** defendants herein, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of the said violation and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violation.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

All as provided in Title 21, United States Code, Section 853.

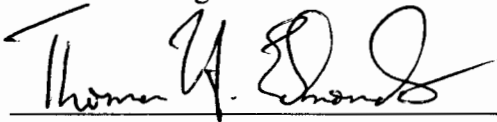
Dated this 06 day of November 2013.

A TRUE BILL.

~~OFFICIATING FOREPERSON~~

Presented by:

S. AMANDA MARSHALL
United States Attorney
District of Oregon

A handwritten signature in black ink, appearing to read "Thomas H. Edmonds", written over a horizontal line.

THOMAS H. EDMONDS, OSB #90255
Assistant United States Attorney